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HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10012473-3IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Bruce G. Johnson

Confirmation No.: 2599

Application No.: 10/616,668

Examiner: TRAN, Ly T.

Filing Date: July 9, 2003

Group Art Unit: 2853

Title: Inkjet Printing System with an Intermediate Transfer Member Between the Print Engine and Print Medium

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450TRANSMITTAL OF REPLY BRIEFTransmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on June 16, 2006.

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

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Typed Name: Rebecca R. Schow

Signature: 

Respectfully submitted,

Bruce G. Johnson

By 

Steven L. Nichols

Attorney/Agent for Applicant(s)

Reg No. : 40,326

Date : August 15, 2006

Telephone : 801-572-8066

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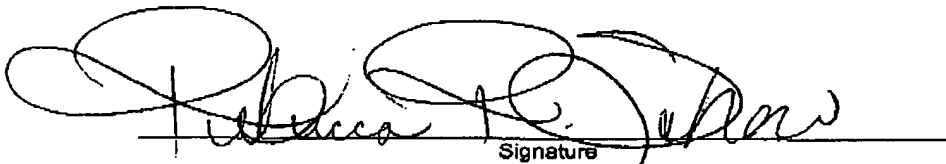
Application No.: 10/616,668

Attorney Docket No.: 10012473-3

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Signature

Rebecca R. Schow

Typed or printed name of person signing Certificate

Transmitted, herewith, are the following documents:

1. Transmittal of Reply Brief with Duplicate copy (2 pages)
2. Certificate of Transmission (1 page)
3. Reply Brief (6 pages)

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10/616,668

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of:

Bruce G. Johnson

Application No. 10/616,668

Filed: July 9, 2003

For: Inkjet Printing System with an
Intermediate Transfer Member Between
the Print Engine and Print Medium

Group Art Unit: 2853

Examiner: TRAN, Ly T.

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Reply Brief under Rule 41.41 (37 C.F.R) in response to the Examiner's
Answer of June 16, 2006 (the "Examiner's Answer").

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Claim 44:

Independent claim 44 recites:

An inkjet printing system comprising:
ink comprising a carrier fluid and having an electrical charge;
an inkjet print head using said ink for printing images on a transfer member
that is adjacent to said print head and moveable with respect to said print head; and
said transfer member disposed to transfer said images to a print medium;
*wherein said electrical charge facilitates transfer of said images to the print
medium.*

(Emphasis added).

Appellant has noted that, in direct contradiction to claim 44, Takei teaches an electrical charge that causes the image to adhere more strongly to the transfer member.

According to Takei, “the coloring particles *will remain on the transfer drum 51 due to the electric field* between transfer drum 51 and electrode 69.” (Takei, col. 10, lines 7-9)

(Emphasis added).

Despite this clear distinction between claim 44 and the teachings of Takei, the Examiner’s Answer argues that “a stronger adhesion to the transfer member ultimately facilitates a *better* transfer onto the recording medium.” (Examiner’s Answer, p. 7) (Emphasis added). The Examiner’s Answer then goes on to argue in what ways the “stronger adhesion to the transfer member” taught by Takei might conceivably improve the resulting image. (*Id.*). This, however, is entirely beside the point.

Claim 44 does *not* recite an electrical charge that facilitates a “*better*” transfer of the image to the print medium. Such a claim would be indefinite and open to various interpretations of what is a “better” transfer. Some transfers would be better in one respect and not in others.

If we consider what claim 44 actually says, claim 44 recites an electrical charge that simply “facilitates transfer of said image to the print medium.” Thus, claim 44 recites an

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electrical charge that facilitates, i.e., makes easier, the transfer of the image to the print medium. (See <http://dictionary.reference.com>). The meaning of this phrase and the mechanism by which an electrical charge facilitates the transfer is further explained in Appellant's specification at, for example, paragraphs 0059 and 0081.

In contrast, the electrical charge taught by Takei does exactly the opposite. According to Takei, "the coloring particles *will remain on the transfer drum 51 due to the electric field* between transfer drum 51 and electrode 69." (Takei, col. 10, lines 7-9) (Emphasis added). This may improve some aspects of the resulting image, as hinted at by the Examiner's Answer. However, it is very clearly the antithesis of Appellant's claimed system "wherein said electrical charge facilitates transfer of said images to the print medium."

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least this reason, the rejection of claim 44 and its dependent claims based on Takei should be reconsidered and withdrawn.

Claim 33:

Independent claim 33 recites:

A method of printing with an inkjet printing system, said method comprising:
providing a supply of liquid ink comprising a carrier fluid;
using said ink, printing an image with an inkjet print head on a transfer belt that is adjacent to said print head and moveable with respect to said print head;
absorbing carrier fluid from ink of said image with said transfer belt;
heating said transfer belt to facilitate removal of said carrier fluid from said image on said transfer belt; and
transferring said printed image from said transfer belt to a sheet of print medium.

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In contrast, Takei simply fails to teach or suggest heating a transfer belt. Additionally, Takei fails to teach or suggest heating a transfer member “to facilitate removal of the carrier fluid from an image on the transfer belt.”

Takei teaches a heating element (27, Figs. 3 and 4) for heating a transfer *drum* (21). Takei does not, however, teach or suggest “heating [a] transfer *belt*” as claimed. (Emphasis added). There is no teaching or suggestion in Takei that a transfer belt can or should be heated.

According to the Examiner’s Answer, Takei teaches “replacing the drum with a belt.” (Examiner’s Answer, p. 8, citing Takei at col. 11, lines 44-45). This is a misrepresentation of what Takei actually teaches. The portion of Takei cited, col. 11, lines 44-45, is part of Takei’s claim 1 and does not mention either a drum or belt. Looking at the other portions of the reference, Takei does teach, in different embodiments, the use of a drum or a belt as a transfer member in a printing system. Takei does not teach or suggest, however, that one can simply replace the other as suggested in the Examiner’s Answer. Most importantly, Takei teaches embodiments with either a drum or belt, teaches heating a drum, but does *not* teach or suggest heating a belt. The inference to one of skill in the art is clear. Takei does not teach or suggest heating a transfer belt as claimed.

More importantly, Takei teaches heating the drum *after the image is transferred to the print medium* to recover solvent absorbed by a layer on the drum. As shown in Figs. 3 and 4 of Takei, a print head (23) prints an image on the drum (21). The drum then rotates, counterclockwise in the drawings, to transfer the image to a sheet (S) at a transfer roller (25). After the image is gone from the drum, transferred to the sheet (S), the drum is heated by the heater (27) to release absorbed solvent into a solvent recovery tank (26).

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In contrast, claim 33 recites heating the transfer member, i.e., a belt, "to facilitate removal of the carrier fluid *from an image on the transfer belt*." (Emphasis added). Thus, the claimed heating occurs when the image is still on the transfer belt and facilitates the removal of carrier fluid from the image.

Consequently, if the teachings of Takei were, for some reason, extrapolated from a transfer drum to a transfer belt, Takei would merely then teach heating a belt *after the image thereon had been transferred to a print medium* to recover absorbed solvent. Takei does not ever teach or suggest heating a transfer member, belt or drum, to facilitate removal of the carrier fluid from an image *on the transfer member* as claimed.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987) (emphasis added). See M.P.E.P. § 2131. For at least this reason, the rejection of claim 33 and its dependent claims based on Takei should be reconsidered and withdrawn.

The Examiner's Answer erroneously states that a new ground of rejection has been raised. However, the grounds of rejection in the Examiner's Answer appear to be a cut and paste of the same section from the final Office Action. Consequently, Appellant believes the current Reply Brief and the previously-filed Appeal Brief are a complete response to the grounds of rejection applied on the record by the Examiner.

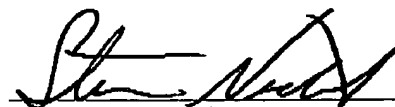
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In view of the foregoing, it is submitted that the final rejection of the pending claims is improper and should not be sustained. Therefore, a reversal of the Final Rejection of November 15, 2005 is respectfully requested.

Respectfully submitted,

DATE: August 15, 2006

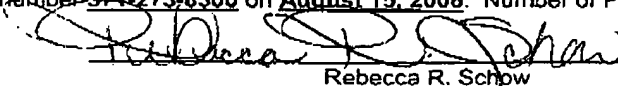


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Rebecca R. Schow